

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CIVIL ACTION NO: 2:19-cv-00136-DBH

U.S. Bank Trust, N.A., as Trustee for LSF10
Master Participation Trust

Plaintiff

vs.

Tammy E. Grindle and Blaine Grindle

Defendants

Penobscot Bay Medical Center

Parties-In-Interest

RE:

948 Burkettville Road, Appleton, ME 04862

Mortgage:

October 15, 2008

Book 4024, Page 48

AMENDED CONSENT JUDGMENT OF FORECLOSURE AND SALE

Now comes the Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust, and the Defendants, Tammy E. Grindle and Blaine Grindle, and Party-In-Interest, Penobscot Bay Medical Center, and hereby submits this Consent Judgment of Foreclosure and Sale.

Count II – Breach of Note, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment, are hereby **DISMISSED** without prejudice at the request of the Plaintiff. **JUDGMENT** on Count I – Foreclosure, is hereby **ENTERED** as follows:

1. If the Defendants or their heirs or assigns pay U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust (“U.S. Bank”) the amount adjudged due and owing (\$258,648.75) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Unpaid Principal Balance	\$182,265.79
Escrow Balance:	\$32,218.55
Total Interest:	\$29,018.34

Deferred Principal:	\$14,209.87
Late Charges:	<u>\$936.20</u>
Grand Total	\$258,648.75

2. If the Defendants or their heirs or assigns do not pay U.S. Bank the amount adjudged due and owing (\$258,648.75) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the Appleton Property shall terminate, U.S. Bank shall conduct a public sale of the Appleton Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$258,648.75 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
4. The amount due and owing is \$258,648.75.
5. The priority of interests is as follows:
 - a) U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust has first priority, in the amount of \$258,648.75, pursuant to the subject Note and Mortgage.
 - b) Penobscot Bay Medical Center has the second priority behind the Plaintiff pursuant to a Writ of Execution dated November 7, 2013, in the amount of \$1,800.07, and recorded in the Knox County Registry of Deeds in Book 4746, page 248.
 - c) Tammy E. Grindle and Blaine Grindle have the third priority behind the Plaintiff.
7. The prejudgment interest rate is 4.25000%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 8.59%, *see* 14 M.R.S.A. § 1602-C.
8. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915

DEFENDANT

Blaine Grindle 948 Burkettville Road Appleton, ME 04862	Pro Se
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Tammy E. Grindle 948 Burkettville Road Appleton, ME 04862	Pro Se
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PARTIES-IN-INTEREST

Penobscot Bay Medical Center 6 Glen Cove Drive Rockport, ME 04856	Pro Se
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- a) The docket number of this case is No. 2:19-cv-00136-DBH.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 948 Burkettville Road, Appleton, ME 04862, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 948 Burkettville Road, Appleton, ME 04862. The Mortgage was executed by the Defendants on October 15, 2008. The book and page number of the Mortgage in the Knox County Registry of Deeds is Book 4024, Page 48.
- e) This judgment shall not create any personal liability on the part of the Defendants but shall act solely as an in rem judgment against the property, 948 Burkettville Road, Appleton, ME 04862.

Dated: April 19, 2019

/s/Reneau J. Longoria, Esq.
John A. Doonan, Esq., Bar No. 3250
Reneau J. Longoria, Esq., Bar No. 5746
Doonan, Graves & Longoria, LLC
100 Cummings Center
Suite 225D
Beverly, MA 01915

Dated: April 15, 2019

/s/Tammy E. Grindle
Tammy E. Grindle
948 Burkettville Road
Appleton, ME 04862

Dated: April 15, 2019

/s/ Blaine Grindle
Blaine Grindle
948 Burkettville Road
Appleton, ME 04862

Dated: April 17, 2019

/s/Bradley Graham, Esq.
Penobscot Bay Medical Center
6 Glen Cove Drive
Rockport, ME 04856

SO ORDERED.

DATED THIS 12th DAY OF JULY, 2019.

/s/D. Brock Hornby
D. BROCK HORNBY
U.S. DISTRICT JUDGE